Preface

Being at the centre of commercial law, the law of sale of goods has traditionally received much attention and treatment in cases and legal scholarship worldwide. To a considerable degree, the international unification and harmonisation efforts have also focused on it, as evidenced by the adoption of the 1964 Hague Sales Conventions and the 1980 Vienna Convention on Contracts for the International Sale of Goods (CISG) that has since then become one of the most successful international commercial law instruments. Despite the legal community being accustomed to thinking about sales law, domestically and internationally, the multi-faceted changes taking place in the world and the dynamic nature of commerce give rise to new challenges that need to be understood and responded to by sales law and scholarship. These challenges include: the multiplicity of sources, particularly those emanating from the industry, that govern commercial and sales contracts (such as standard form contracts, trade usages, trade terms or standards governing quality and other features of goods); and the diversity of commercial and transactional contexts, in which sales contracts are made and performed, be it those involving commodities, digital technologies, long-term contracts or global supply chains. How should sales law, traditionally seen as a consolidated body of the law, meet and move forward in the light of these challenges? It is this broad question that this book seeks to address. United by the theme of unity and diversity in the law of sale of goods, its various chapters examine many aspects of sales law, ranging from broad inquiries into the purposes of modern sales law, its interaction with industry sources or structures of major long-term agreements, to detailed analyses of specific issues and problems, such as digital technologies, trade terms, the assessment of damages or the interpretation of retention of title clauses.

The questions and problems addressed in this book are those that, in principle, every legal system or regime has to face and tackle. With this in mind, the book draws on the experience of various legal systems and international regimes, making it relevant to anyone interested in commercial sales and contract law, regardless of one's jurisdiction. The book is written by a team of leading experts, representing various jurisdictions and taking different perspectives. The book is the product of several years of research. An important milestone in this research project was the event dedicated to the theme of 'Unity and Diversity in the Law of the International Sale of Goods' that took place at King's College London on 16–17 April 2018. I would like to take this opportunity to express my gratitude to King's College London and the British Academy for their support, financial and otherwise, of this event. I am also grateful to Edward Elgar for its support of this project. Finally, my thanks go to all the authors who made this book possible. Their research, experience and expertise have generated many valuable insights and stimulating analyses that advance our understanding of the nature and complexity of governance of sales contracts in the modern world.

Djakhongir Saidov
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